IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.5061 OF 2005

Bhodni Shetfal Haveli Water
Distribution Co-op.Society. ...Petitioner.

Vs.

State of Maharashtra & Ors. ...Respondents.

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Mr.S.P.Kadam for the Petitioner.

Ms.P.S.Cardoz, AGP for Respondent Nos.1 to 4.

Mr.Vijay Patil for Respondent No.5.

Mr.P.K.Dhakephalkar i/b.Mr.S.V.Dhakephalkar for Respondent No.6.

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CORAM : F.I.REBELLO AND
DR.D.Y.CHANDRACHUD,JJ.
September 27, 2005.

P.C.:

Considering the provisions of Section 60 read with Section 103 and 114(XX), the Petitioner has remedy by way of statutory appeal. In the light of that, the Learned Counsel seeks to

withdraw the petition to file statutory appeal. Petition is dismissed as withdrawn with liberty to file statutory appeal. It is made clear that all issues raised in this petition will be open for consideration by the appellate authority including any other point which the appellant may raise. The petitioner, if advised, to file appeal within 15 days from today. On such appeal being filed, the appellate authority shall dispose of the appeal within three weeks after hearing the parties. In the meantime, the interim order granted by this Court to continue, pending the hearing and disposal of the appeal.

(F.I. Rebello, J.)

(Dr.D.Y.Chandrachud, J.)